

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

MARSHA LITTLE,

PLAINTIFF,

VS.

CIVIL ACTION NO. 2:07CV44-P-A

**UHS OF PARKWOOD, INC.
D/B/A PARKWOOD BEHAVIORAL
HEALTH SYSTEMS and ANDREW
MAYO,**

DEFENDANTS.

ORDER OF DISMISSAL

This matter comes before the court upon the plaintiff's motion for voluntary dismissal [75].

After due consideration of the motion and the response filed thereto, the court finds as follows, to-wit:

The plaintiff's federal claims should be dismissed with prejudice per her request pursuant to Fed. R. Civ. P. 41(a)(2). The defendants object to dismissing the remainder of her state-law claims without prejudice because doing so would allow her to re-file her case in State court. However, since the plaintiff's federal claims shall be dismissed and since the defendants provided no argument on the merits why the plaintiff's state-law claims should be dismissed with prejudice, the court declines to exercise supplemental jurisdiction pursuant to 28 U.S.C. § 1337(c)(3) and concludes that the plaintiff's state-law claims should be dismissed without prejudice.

Though all of the plaintiff's claims shall be dismissed, this case will not be closed until the court has ruled on the outstanding Report and Recommendation of the U.S. Magistrate Judge regarding plaintiff counsel's possible suspension from the practice of law before the U.S. District Court for the Northern District of Mississippi. The show-cause hearing regarding same is currently

scheduled for 1:30 p.m. on Friday, October 26, 2007.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) The plaintiff's Title VII claims are hereby **DISMISSED WITH PREJUDICE**; and
- (2) The plaintiff's remaining state-law claims are **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED this the 22nd day of October, A.D., 2007.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE